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EXAMINER

STARK, JARRETT J

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

***Response to Arguments***

Applicant's arguments filed 5/29/2009 have been fully considered but they are not persuasive.

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

As addressed in the Final Office Action the primary reference Bhat discloses the process as claimed however does not explicitly disclose "isostatic" pressure when applying the required heat and pressure for bonding. The secondary reference Chon is provided merely as a disclosure which explicitly suggest that "isostatic" pressure is a known functional equivalent alternative means of applying pressure when thermally bonding objects. Note: the objects Chon bonds are considered substrates.

Therefore as advised previously, a prima facie case of obviousness under 35 U.S.C. 103(a) has been established, therefore it is the bourdon to the Appellants to provide objective evidence which must be factually supported, for example by an appropriate affidavit or declaration. It is further noted the arguments of counsel cannot take the place of evidence in the record. Spcifically, "evidence which must be factually supported" should be provided clearly disproving the functional equivalence between the various means of applying heat and pressure disclosed by Chon.

/J. J. S./

Examiner, Art Unit 2823